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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/923,461	08/06/2001	Warren Snyder	CYPR-CD00192	1558

7590 07/16/2004

WAGNER, MURABITO & HAO LLP  
Two North Market Street, Third Floor  
San Jose, CA 95113

EXAMINER

MAI, TAN V

ART UNIT	PAPER NUMBER
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2124

DATE MAILED: 07/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	09/923,461		SNYDER, WARREN	
	<b>Examiner</b>		<b>Art Unit</b>	
	Tan V Mai		2124	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 21 January 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>1/21/03</u> .   | 6) <input type="checkbox"/> Other: _____                                    |

1. Claims 1-5 and 11-23 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per independent claim 1, the claim language is vague and indefinite. For instance, although the preamble of independent claim 1 claims "a multiply-MAC circuit", the claim fails to recite the necessary detail physical structures to perform the recited "multiply-MAC" nor are there any recitation describing how such a circuit (or elements) is actually provided in the circuit. Sufficient detail circuit or elements must be recited to adequately describe and constitute the proposed multiply-MAC circuit. Also, the claim seems to be incomplete in that it recites only a portion of the methodology required for the multiply-MAC to become operational, i.e., they omit essential elements and/or steps. It is noted the claim only recites a first and a second register for the "multiply-MAC circuit". See MPEP 2172.01. Similarly noted independent claims 11 & 16 [recite "a multiply-MAC circuit" for the "controller"].

As per claim 2, "Claim 2" is mistyped.

As per independent claim 21, the claim language is vague and indefinite. It is noted that the multiplication requires TWO operands. The claim only recites "a data to a register" in step a). It is unclear how step b) "generate a product value based on said data".

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Faith et al.

As per independent claim 1, Faith et al disclose, e.g., see Fig. 6 and col. 4, line 45 to col.6, line 25, the invention substantially as claimed, including: a multiplier (152), an adder (154), an output register (162) and a multiplexer (160). first & second registers (24, 26). It is noted that Faith et al do not specifically detail the claimed "first / second register are addressable using **addresses as disables / enable an accumulate / MAC operation**"; however, Faith et al 's device does provide the same desired result as claimed at the output of multiplexer (160). It would have been obvious to a person having ordinary skill in the art at the time the invention was made to design the claimed invention according to Faith et al's teachings because the device is a multiplication/accumulation capable of providing either multiplication result or MAC result as claimed.

As per dependent claim 2, Faith et al do show the claimed feature. It is noted that the combination of adder (154) and output register (162) is serve as an accumulate circuit (see col. 4, lines 48-55).

As per dependent claim 3, the output register (162) can be **switchably coupled** to the adder (154). Therefore, the output register is capable of storing the desired data.

As per dependent claims 4 & 5, the "control signals" [not shown] of the device could select the equivalent functions for providing the desired result.

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Due to the similarity of claims 6-23 to claims 1-5, they are rejected under a similar rationale. It is noted that Faith et al 's device could be use in the claimed "controller".

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Cited references are art of interest.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tan V. Mai whose telephone number is (703) 305-9761. The examiner can normally be reached on Tue-Fri from 6:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kakali Chaki, can be reached on (703) 305-9662. The fax phone numbers for the organization where this application or proceeding is assigned are:

After-final (703) 746-7238

Official (703) 746-7239

Non-Official/Draft (703) 746-7240.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

  
TAN V. MAI  
PRIMARY EXAMINER